

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

JAMES WINDING

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:13cv431-DPJ-FKB

STEVEN J. GRIFFIN, et al.

DEFENDANTS

REPORT AND RECOMMENDATION

James Winding, a state prisoner, brought this action pursuant to 42 U.S.C. § 1983 alleging that prison officials and others conspired to issue and convict him of a prison rules violation in retaliation for his many administrative remedy requests and lawsuits. Presently before the Court is Plaintiff's motion for partial summary judgment [10]. The body of the motion consists of a single statement referencing deliberate indifference, barbaric conditions, poor management, retaliation, and sexual assaults at East Mississippi Correctional Facility. The exhibits to the motion consist of various hearsay documents that appear to have been printed off of the internet. Winding has offered no argument or admissible evidence showing that he is entitled to judgment as matter of law on his claims. The undersigned recommends that this motion be denied.

The parties are hereby notified that failure to file written objections to the proposed findings, conclusions, and recommendation contained within this report and recommendation within fourteen (14) days after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the proposed factual

findings and legal conclusions accepted by the district court. 28 U.S.C. § 636; Fed. R. Civ. P. 72(b); *Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996).

Respectfully submitted, this the 21st day of November, 2013.

/s/ F. Keith Ball
UNITED STATES MAGISTRATE JUDGE